

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MELISSA A. CHICK,

Plaintiff,

V.

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration.

Defendant.

CASE NO. 3:16-CV-05967 JRC

**ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES,
EXPENSES AND COSTS**

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local

Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 7).

This matter is before the Court on plaintiff's Stipulated Motion for EAJA Fees, Costs and Expenses (*see* Dkt. 19).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (“EAJA”), the stipulation of the parties (*see* Dkt. 19), plaintiff’s petition and attorney declaration with time and expense itemizations (Dkt. 19, Attachment 1), and the relevant record, it is hereby ORDERED that EAJA

1 attorney's fees of \$6,732.83 and expenses in the amount of \$3.29, shall be awarded to plaintiff
2 pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S.
3 LEXIS 4763 at ***6-***7 (2010).

4 It is further ORDERED that costs in the amount of \$8.70 shall be awarded to plaintiff
5 pursuant to 28 U.S.C. §1920.

6 The Acting Commissioner shall contact the Department of Treasury after the Order for
7 EAJA fees, expenses and costs is entered to determine if the EAJA fees, expenses and costs are
8 subject to any offset. If it is determined that plaintiff's EAJA fees, expenses and costs are not
9 subject to any offset allowed pursuant to the Department of the Treasury's Offset Program, then
10 the check for EAJA fees, expenses and costs shall be made payable to Rosemary B. Schurman,
11 Esq., based on plaintiff's assignment of these amounts to plaintiff's attorney. If there is an
12 offset, the remainder shall be made payable to plaintiff, based on the practice of the Department
13 of the Treasury (*see, e.g.*, Case No. 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees,
14 expenses and costs shall be mailed to plaintiff's counsel, Rosemary B. Schurman, at 8123 NE
15 115 Way, Kirkland, WA 98034.

16 Dated this 16th day of October, 2017.

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19 J. Richard Creatura
United States Magistrate Judge
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